



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,895	06/03/2002	Naftaly H Minsky	1419-133 US	5231

7590 07/20/2007  
Diane Dunn McKay  
Mathews Collins Shepherd & McKay  
100 Thanet Circle Suite 306  
Princeton, NJ 08540

EXAMINER
----------

JABR, FADEY S

ART UNIT	PAPER NUMBER
----------	--------------

3628

MAIL DATE	DELIVERY MODE
-----------	---------------

07/20/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/069,895	<b>Applicant(s)</b> MINSKY ET AL.	
	<b>Examiner</b> Fadey S. Jabr	<b>Art Unit</b> 3628	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 May 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 and 16-20 is/are pending in the application.
- 4a) Of the above claim(s) 11-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 16-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Status of Claims***

Claims **1, 4, 6-8, 16** and **19** have been amended. Claims **11-15** have been cancelled. Claims **1-10** and **16-20** remain pending and are again presented for examination.

### ***Response to Arguments***

1. Applicant's amendments filed 21 May 2007 with respect to the Claim Objections have been fully considered and are therefore withdrawn.
2. Applicant's amendments filed 21 May 2007 with respect to 35 U.S.C. 101 have been fully considered and are therefore withdrawn.
3. Applicant's arguments filed 21 May 2007 have been fully considered but they are not persuasive.
4. Applicant argues that Danieli fails to teach or suggest all the limitations of the independent claims, particularly assigning a first and second controller, and exporting and importing a message. However, Examiner notes that Danieli discloses a method and system for providing security services and policy enforcement. Further, Danieli discloses a certificate authority which assigns a security certificate to a first agent. The agent also requests a security certificate for the distribution unit which contains the "copy feely" policy and submits the digest of all the files in the request. Second, Danieli discloses a security component in the second user's browser extracts the security certificates of all the files in the distribution unit and the security certificate of the distribution unit. However, if the user attempts to save the lyrics in the whole or in part to a different location on the computer, the security component in the browser

Art Unit: 3628

copies the original copyright notice attributing the lyrics to the original author. Finally, Danieli discloses the security component computes the digest of the requested files and their combination. The request for the security certificate for the press release contains the digest and the copyright service specifying the “copy freely” policy. The agent then requests that the browser upload the press release kit. When the user clicks on a link to the press release kit, the distribution unit is downloaded to the client computer. A security component in the user’s browser extracts the security certificates of all the files in the distribution unit and the security certificate of the distribution unit. And if the user requests the native application copy or modify the item, the security component in the native application notifies the user of the improper use and aborts the operation (C. 24, line 66 – C 26, line 4, also see Figure 20). Thus, Danieli discloses using two agents each operating under a different policy.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims **1-3, 9-10, 16-18 and 20** are rejected under 35 U.S.C. 102(e) as being anticipated by Danieli, U.S. Patent No. 6,510,513 B1.

As per **Claim 1 and 16**, Danieli discloses a method comprising:

- assigning a first controller to said first agent, said controller accessing a first list of policies to which said first agent can interoperate (C. 2, lines 41-57, C. 8, lines 1-34, C. 9, line 55 – C. 10, line 3, C. 24, line 66 – C 26, line 4, also see Figure 20);
- assigning a second controller to said second agent, said second controller accessing a second list of policies to which said second agent can interoperate (C. 2, lines 41-57, C. 8, lines 1-34, C. 9, line 55 – C. 10, line 3, C. 24, line 66 – C 26, line 4, also see Figure 20);
- exporting a message from said first agent to second controller by said first controller, said message including an identifier to said first policy (C. 2, lines 41-57, C. 8, lines 1-34, C. 9, line 55 – C. 10, line 3, C. 24, line 66 – C 26, line 4, also see Figure 20);  
and
- importing said message from said second controller to said second agent under said second policy when said identifier to said first policy of said message is in said list of policies to which said second agent can interoperate or ignoring said message at said second controller when said identifier to said first policy of said message is not in said list of policies to which said second agent can operate (C. 2, lines 41-57, C. 8, lines 1-34, C. 9, line 55 – C. 10, line 3, C. 24, line 66 – C 26, line 4, also see Figure 20);

As per **Claims 2 and 17**, Danieli discloses applying a verifiable authentication to said message before exporting said message, said verifiable authentication indicating said first controller is an authentic controller with a trusted authority; and verifying said verifiable authentication in said step of importing said message at second agent (C. 1, lines 43 –54)

As per **Claims 3 and 18**, Danieli discloses wherein said verifiable authentication is a public key and a signature (C. 1, line 43 – C. 2, line 65).

As per **Claims 9 and 20**, Danieli discloses wherein said first agent is a business enterprise and said second agent is a second business enterprise (C. 7, lines 37-45).

As per **Claim 10**, Danieli discloses defining an interaction policy for interaction between said first agent and said second agent wherein said first agent operates under said first policy and said interaction policy and said second agent operates under said second policy and said interaction policy (C. 2, line 42-57).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims **4-8 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Danieli, U.S. Patent No. 6,510,513 B1.

As per **Claims 4 and 19**, Danieli fails to *explicitly* disclose wherein said signature includes said message, a hash of a first law for enforcing said first policy and a hash of said second law for enforcing said second policy. However, Danieli discloses using hash algorithms to encrypt data between business parties, where the hash is determined for both sets of parties (C. 2, lines 6 – 60). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Danieli and include using hash algorithms to encrypt data between business parties, because it provides a secure method for creating security certificates that specify policy levels.

As per **Claim 5-6**, Danieli fails to *explicitly* disclose wherein said first policy and said second policy are defined by a four-tuple of {M, G, CS, L}. However, Danieli discloses transactions and notifications (M) sent between the involved vendors (G), which are enforced by a security certificates (C. 7, lines 37-45, C. 9, line 55 – C. 10, line 60). Danieli further discloses licenses (CS) for the data being acquired enforced by policies (C. 9, line 55 - C. 10, line 60). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Danieli and include transactions, vendors, licenses and policies, because it provides a secure method for creating security certificates which specify policy levels.

As per **Claim 7**, Danieli discloses wherein said step of importing said message at said second agent is performed by a rule of said second law responding to an event occurring when said message arrives at said second agent (C. 9, line 55 – C. 10, line 60).

As per **Claim 8**, Danieli discloses evaluating said import event with said second law and said control state of said second agent (C. 9, line 55 – C. 10, line 60).

### ***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is



Art Unit: 3628

respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fadey S. Jabr whose telephone number is (571) 272-1516. The examiner can normally be reached on Mon. - Fri. 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Fadey S Jabr  
Examiner  
Art Unit 3628

FSJ

Art Unit: 3628

Please address mail to be delivered by the United States Postal Service (USPS) as follows:

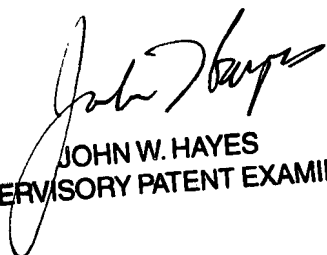
*Commissioner of Patents and Trademarks*

*Washington, D.C. 20231*

or faxed to:

**(571) 273-1516** [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

  
JOHN W. HAYES  
SUPERVISORY PATENT EXAMINER